

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

vs

CRIMINAL06-288CCC

JONATHAN SANTIAGO-ORTIZ

Defendant

ORDER

Before the Court is a Motion Objecting to PSI filed by defendant Jonathan Santiago-Ortiz on April 27, 2007 (docket entry 55). Defendant's main objection is to the description of the offense conduct included in the Pre-Sentence Report (PSR), as he accepts only the facts as stated in paragraph 8, page 2 of the PSR, which mirror the Statement of Facts of the Plea Agreement (docket entry 43), but objects to the more detailed description of the events contained in paragraphs 5-7, pages 1-2. The U.S. Probation Officer has indicated in his Addendum to the PSR that the expanded version of facts included in ¶¶ 5-7 was obtained from the information provided by Puerto Rico Police agents to the case agent and to the U.S. Attorney's Office, and that the Assistant U.S. Attorney indicated that the objected version of the events would have been presented by the government at trial if defendant had decided not to plead guilty. Because the information contained in paragraphs 5-7 is pertinent to understand how the offense took place, and defendant has not made a specific challenge as to its accuracy, we see no reason to exclude it from the PSR. Accordingly, defendant's objection is **OVERRULED**.

Defendant has also informed that a pending case in the local court has been rescheduled and will no longer be held on May 8, 2007. But the only reference to a local case contained in the PSR, at ¶ 27, p. 4, indicates that it "is set for jury trial on July 12,

2007.” Thus, defendant’s request for correction is also OVERRULED.

SO ORDERED.

At San Juan, Puerto Rico, on May 23, 2007.

S/CARMEN CONSUELO CEREZO
United States District Judge